



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,092	06/11/2001	Takashi Arai	862.C2261	1304

5514 7590 01/20/2006

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

BLOUIN, MARK S

ART UNIT	PAPER NUMBER
----------	--------------

2653

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/877,092	ARAI, TAKASHI	
	Examiner	Art Unit	
	Mark Blouin	2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-22, 36, 40, 41, 54, & 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 42-49 and 51-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/15/05</u> | 6) <input type="checkbox"/> Other: _____ |

ky

Art Unit: 2653

Detailed Action

Response to Amendment

- The reply filed on December 15, 2006 was applied to the following effect: Claims 23-35, 37-39, and 50 have been cancelled.

Claim Rejections - 35 USC § 112

1. All relevant rejections have been withdrawn as being satisfied.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 42-46, 48, 49, and 51-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Feist et al (US pub 2002/0080712 A1).
4. Regarding Claim 42, 44, 45, and 51, Feist et al shows [0041 and 0042] a housing structure for audio equipment or video equipment, characterized by comprising a structural member of the equipment body, means for generating an audio signal or video signal (inherent), a reception object (optical element) for receiving a signal, a resin molded product for audio equipment or video equipment, which is incorporated in a housing of the equipment for outputting an audio signal or video signal and is molded from a resin material for holding a

Art Unit: 2653

driving member in the equipment, characterized in that vibration damping function objects are contained in the resin molded product in the step of molding the resin molded product.

5. Regarding Claim 43, Feist et al shows [0041 and 0042] the molded product characterized in that the vibration source object comprises a rotating member (inherent – the vibration source object is spinning).

6. Regarding Claim 46, Feist et al shows [0041 and 0042] the resin molded product characterized in that the vibration damping function objects comprise a gas (foamed structure) and a bubble diameter (structure of the foamed material) adjusted and contained in the resin molded product in the molding step.

7. Regarding Claims 48 and 49, Feist et al shows [0007] a molded product made of resin material which holds a rotating member for receiving information from an information source and transferring the information to an information reception object and the reception object for receiving the information from the rotating member on a mount surface while maintaining an optical positional relationship between the rotating member and the reception object (inherent in an optical read write system), characterized that damping generated by the rotating member are contained in the molded product, characterized in that the information from the information source a signal based on laser light (15).

8. Regarding Claims 52 and 53, Feist et al shows (Figs. 4-6) the molded product characterized in that a vibration damping factor between a position of the image transfer means and a position of the image reception means is adjusted to not less than 35 dB/sec, and characterized in that a flexural rigidity of the molded product is set to 4,500 to 9,800 MPa.

Art Unit: 2653

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feist et al (US pub 2002/0080712 A1) in view of Applicant's admitted prior art.

11. Regarding Claim 47, Feist et al shows all the features described, *supra*, but does not show that sizes of the cells in the molded product fall within a range of 10 to 100 μm .

Applicant shows (Page 4, line 13 of the Specification - 25 μm) that sizes of the cells in the molded product fall within a range of 10 to 100 μm .

It would be obvious to one of ordinary skill in the art at the time the invention was made to provide the molded resin product of Feist et al with the Applicant's same size cells through routine experimentation and optimization in the absence of criticality.

Response to Arguments

12. Applicant's arguments filed on December 15, 2005 have been fully considered but they are not persuasive.

Applicant asserts on pages 14-15:

That the prior art fails to show the features of a "vibration source object" and "a reception object".

The Examiner maintains that (as the claims are written) the Applicant is claiming a molded resin product, which is clearly shown by Feist, and that the first and second means are

Art Unit: 2653

features that act upon the product and are not part of it. Most of the claim language is functional and not structural. The Examiner recommends that the claims may be more pertinent as method claims and not product claims. Therefore, the rejection of Claims 42-49 and 51-53 are upheld.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch, can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 2653

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Blouin
Patent Examiner
Art Unit 2653
January 3, 2006

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2653~~ A.U. 2653

